

Marion Payton
Court Executive Officer
P.O. Box 1067
Tucumcari, NM 88401

Hallie Ferguson
Financial Specialist

Phone: (575) 461-2764
Fax: (575) 461-4498



OFFICE OF THE CLERK
TENTH JUDICIAL DISTRICT COURT

Quay, DeBaca & Harding Counties

CLERK - TUCUMCARI
Barbara Lopez
Perfy Alderete
Courtney Haller
Juanice Martinez

CLERK - FT. SUMNER
Kerri Webb

CLERK - MOSQUERO
Lina Weisdorfer

December 5, 2019

Lucy Parsons Labs
MuckRock News Dept MR 82895
411 A Highland Avenue
Somerville, MA 02144
82895-71535069@requests.muckrock.com

Re: Inspection of Public Records Act Request
Tenth Judicial District Court #2019-11-20

Dear Sir/Madam:

The Tenth Judicial District Court received your public records request on November 21, 2019. We believe that your request is excessively broad or burdensome and at this time it is estimated that we will need approximately one year to fulfill your request.

It should be noted that fulfilling your request specifically means to provide you with redacted search warrants, affidavits, and returns, if any, from all District and Magistrate Courts in the Tenth Judicial District. We cannot guarantee that all the items you listed are contained in the search warrants we possess since all search warrants contain different information. We do not maintain a database that contains all the items you listed in your request below.

For all search warrants, applications for search warrants, cancellations, and authorization for search warrants between 2012 to the date of processing this request, please provide the following points of record for each:

Full Name of requester

If arrest, arrest ID (eg some cities/states use, "Incident Report")

Reason(s) for search warrant (typically either hand-written, or checkboxes)

Badge ID (or similar) of requester

District/Unit

Name of Judge

Name of approving officer

Whether an Arrest happened

Requested location of search warrant

Location of search warrant execution
Type of search warrant
Statements used to justify search warrant
Time and date when search warrant was submitted for approval
Time and date when search warrant was executed
Whether anything was seized
Whether anything was found
License plate of vehicle (if relevant)
Race of person for search warrant
Age of person for search warrant
State of person for search warrant
Whether an informant was involved
Method of contact with informant leading to search warrant (eg, phone call, mail, fax, email, etc)
Description of person search warrant executed on
Legal code of violation
Description of violation
Date of violation
If search warrant related to debt: name of company debt is owed to, amount owed
Whether FBI involved
ID associated with FBI document (eg, IR #)
Whether search warrant was cancelled
Whether contraband found
Whether narcotics found.

The records responsive to this request are likely available in a database, or in some queryable format. If your department or agency does not have direct access to the records, please raise to the respective department that can run queries directly (eg, through SQL).

Should your agency not have all of the requested records within a single record or document, please provide me the relevant documents that do, even if that requires more than one class of document. Should some of the records be unavailable, please let me know ahead of time so that we can narrow the request accordingly.

As the records responsive to this request are imperative for understanding how search warrants are executed, I ask that the public interest of these records be evaluated to the extent that the public's interest outweighs this request's burden. To add, this request is being sent to the largest city of every state and will be collated together to create a comprehensive map of search warrants throughout the US. As such, the records are not only important for understanding search warrants at a local level, but also at a national and state-wide level.

Please ensure that provided documents comply with Section 508, as these records will be shared with members of the public who are covered under the ADA. This guide should be helpful: <https://www.hhs.gov/web/section-508/making-files-accessible/checklist/pdf/index.html>

While we do not have a database containing the listed information you requested, we do have search warrants, affidavits, and some returns from all the courts in our district. Our current estimation of the number of pages for these search warrants is 3,120. Please keep in mind that some of our courts do not retain search warrants and associated documents for the time you requested.

Pursuant to NMSA 1978, §14-2-1(B)(8)-(9), we redact all personal identifier information and other information as provided by law for IPRA requests. Our district does not own software that allows us to digitally redact these documents, so we must print the documents and redact them by hand, which involves printing the document and then copying the redacted version to ensure the redaction is complete. In accordance with NMRA 1978, §14-2-9(C)(2), the cost to complete your request will be \$.70 per printed, redacted page.

NMSA 1978, §14-2-9(C)(5), provides that we may require advance payment of the fees before we begin collecting and redacting the requested documents. Our current estimation of the cost to complete your request is \$2,184.00, plus shipping. Please be aware that the volume of documents to be shipped will equate to approximately 6 reams of paper. As stated above, we estimate this request will take approximately one year to complete.

We will await your response indicating how you would like to proceed.

Sincerely,

A handwritten signature in cursive script that reads "Marion Payton".

Marion Payton
Court Executive Officer
Tenth Judicial District